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IEGISIATIVE HISTORY

Public Iaw 645--80th Congress

Chapter 471--2d Session

S. 2137

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DIGEST OF PUBLIC LAW 645

GOLDEN NEMATODE. Authorizes USDA to carry out, independently or in cooperation with public or private agencies, operations to eradicate, suppress, control, and prevent the spread of the golden nematode; authorizes cooperation with States and other agencies to enforce quarantines, to restrict the planting of potatoes and tomatoes, and to compensate growers in infested areas for losses resulting when they refrain from planting potatoes or tomatoes for the purpose of combating the golden nematode; authorizes the Secretary to determine the amounts paid by the Government and any cooperating agency; and authorizes the Secretary to require cooperation by way of funds, materials, etc. from local agencies as a condition for Government assistance.

INDEX AND SUMMARY OF HISTORY ON S. 2137

February 9, 1948	S. 2137 was introduced by Senator Ives and was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as introduced. (Companion bill).
February 16, 1948	H. R. 5405 was introduced by Rep. Macy and was referred to the House Committee on Agriculture. Print of the bill as introduced.
April 7, 1948	Senate Committee reported S. 2137 without amendment. Senate Report 1106. Print of the bill as reported.
April 12, 1948	Senate debated and passed S. 2137 as reported.
April 14, 1948.	S. 2137 was referred to the House Committee on Agriculture. Print of the bill as referred.
June 3, 1948	House Committee reported S. 2137 without amendment. House Report 2187. Print of the bill as reported.
June 8, 1948	House discussed and passed S. 2137 as reported.
June 15, 1948	Approved. Public Law 645.

80TH CONGRESS
2D SESSION

S. 2137

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9 (legislative day, FEBRUARY 2), 1948

Mr. IVES introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State

and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of

Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of

80TH CONGRESS
2D SESSION

S. 2137

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

By Mr. IVES

FEBRUARY 9 (legislative day, FEBRUARY 2), 1948
Read twice and referred to the Committee on Agriculture and Forestry

80TH CONGRESS
2D SESSION

H. R. 5405

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1948

Mr. MACY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and

private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of the golden nematode.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means,

and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of

compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

80TH CONGRESS
2D SESSION

H. R. 5405

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

By Mr. MACY

FEBRUARY 16, 1948

Referred to the Committee on Agriculture

Calendar No. 1147

80TH CONGRESS, 2d Session | SENATE | REPORT No. 1106

PROVIDING FOR THE PROTECTION OF POTATO AND TOMATO PRODUCTION FROM THE GOLDEN NEMATODE

APRIL 7 (legislative day, MARCH 29), 1948.—Ordered to be printed

Mr. CAPPER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 2137]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes, having considered same, report thereon with a recommendation that it do pass without amendment.

A letter from Hon. Clinton P. Anderson, Secretary of Agriculture, concerning this legislation, is attached hereto and made a part of said report.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 23, 1948.

Hon. ARTHUR CAPPER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR CAPPER: Further reference is made to your letter of February 10, requesting a report on Senate bill 2137, to provide for the protection of potato and tomato production from the golden nematode and for other purposes.

The proposed legislation would establish the policy that the Government carry out operations to eradicate, suppress, control, and prevent the spread of the golden nematode and would authorize the Secretary of Agriculture to initiate such measures as may be necessary to accomplish this purpose, independently or in cooperation with the State and local agencies involved. It would authorize the Government to cooperate with State or other agencies in compensating growers in areas infested or exposed to infestation for losses resulting when they refrain from planting potatoes or tomatoes or when they destroy potatoes or tomatoes for the purpose of combating the golden nematode. It would also authorize expenses needed to carry out these objectives.

Existing legislation provides authority to the Department of Agriculture to issue and enforce quarantines and to cooperate with States in enforcing State quarantines to prevent artificial spread of pests. Legislative authority is also available under which the Department may cooperate with State agencies and others in combating incipient or emergency outbreaks of insect pests and plant diseases. Legislation has authorized the Department to carry out control programs against specific pests. To combat an insect pest which is of major

importance to cotton and which occurs only in limited sections of our country the Department is authorized to cooperate with States in compensating growers for losses that may be occasioned from the enforced nonplanting of cotton. No legislative authority refers directly to the golden nematode and no law authorizes a cooperative program providing compensation to growers for losses that may occur through not planting or destroying potatoes and tomatoes.

The golden nematode is not native to the United States. Since 1941 it has been known to occur in a limited area in Nassau County, Long Island, N. Y. Inspections to detect its presence have been made in important potato-growing areas in other parts of New York and in other States as far west as Minnesota and North Dakota, but it has not been found to occur elsewhere in the United States.

The golden nematode attacks only two cultivated crops—potatoes and tomatoes. Once infestation becomes established the organism persists in the soil for at least 8 years without the presence of host plants. The only effective method that is known at this time for suppressing infestations and reducing the hazard of spread of the organism through movement of soil and certain crops is to refrain from growing potatoes or tomatoes on infested lands. In England and at certain points on the European Continent where the pest has been established for an extended period it has become impossible for farmers to produce a profitable crop of potatoes or tomatoes more often than 1 year in 5. In some areas it has become necessary to extend to 7 or 8 years the rest period between crops. The information now available strongly suggests that the pest will be equally destructive in most, if not all, of the important potato-growing areas of the United States if it is permitted to become generally distributed. It is important, therefore, that all practical measures be taken to suppress it and prevent its further spread.

In 1942 the Department began cooperating with the State of New York in a program which would hold infestation in check. An important feature of this program has been to encourage growers to refrain from growing potatoes and tomatoes on infested lands. Growers who have agreed to withhold infested land from potato and tomato production during the past 2 years have been compensated for a part of their losses by the State of New York. The area known to be infested has increased in size and now involves about 6,000 acres. Intensive inspections will, it is believed, increase this acreage to some extent. It is expected that inspections conducted during the current year will reveal new infested fields.

The most significant feature of the proposed legislation is that it would provide authority under which the Department could cooperate with the State of New York in compensating growers who sustain losses from the nongrowing or destruction of potatoes and tomatoes in carrying out the program of golden-nematode control. Not growing these two crops in infested soil is an essential part of any program to suppress the pest and will contribute greatly to preventing its spread. The potential importance of this pest to potato production in the United States is of such magnitude that it is believed appropriate and desirable for the Government to cooperate in all phases of the program to combat it and to the extent and in the ways that would be authorized by the proposed legislation. Considering the significance of the program in relation to the future of potato production in this country, it is believed the legislation is sound in principle, to the best interests of the country, and the Department favors its enactment.

In cooperating with the State of New York under existing authority, Federal expenditures for this work have averaged approximately $150,000 annually. If the Federal Government shares the cost of compensating growers for losses occasioned by not planting potatoes and tomatoes on known infested land, it is estimated that expenditures somewhat more than double this amount will be needed. These estimates are predicated upon the basis of present information as to the status and occurrence of the pest and on the assumption that the losses resulting from the destruction and nonproduction of potatoes and tomatoes on land that is known or found to be infested before harvest would be borne jointly by the State, the Federal Government, and the grower.

In compliance with Budget Circular A–19 this communication has been referred to the Bureau of the Budget, and we have been advised that they have no objection to this favorable report on the proposed legislation.

Sincerely yours,

CLINTON P. ANDERSON,
Secretary.

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Calendar No. 1147

80TH CONGRESS
2D SESSION

S. 2137

[Report No. 1106]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9 (legislative day, FEBRUARY 2), 1948

Mr. IVES introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

APRIL 7 (legislative day, MARCH 29), 1948

Reported by Mr. CAPPER, without amendment

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State

and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of

Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of

compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

Calendar No. 1147

80TH CONGRESS
2D SESSION

S. 2137

[Report No. 1106]

A BILL

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

By Mr. IVES

FEBRUARY 9 (legislative day, FEBRUARY 2), 1948
Read twice and referred to the Committee on Agriculture and Forestry

APRIL 7 (legislative day, MARCH 29), 1948
Reported without amendment

personnel, because of its obsolete pay scale for positions in the very highest career brackets.") Provides for the transposition of existing pay rates into those of the new schedule. Protects employees against any reduction of pay, by reason of the classification changes made in the bill, so long as they continue in the same position and grade. Lists 10 factors to be considered in allocating positions, which make it clear that supervisory positions are not to be classified solely on the basis of number of subordinates.

Directs the Civil Service Commission to prepare and publish standards for placing positions in their proper classes and grades. Requires departments and agencies to classify all positions, in both departmental and field services, in accordance with such standards. Provides that such allocations shall be final unless changed by the Commission. Directs the Commission to post-audit allocations and to require changes when it finds mistakes. Requires departments and agencies to continue submission to the Commission, for final action, of departmental positions not covered by the published standards. Authorizes the Commission to permit an employee to continue at his then existing rate, or at the rate at which he was appointed, when his position is placed in a lower grade to correct an error.

Expresses the waiting period, for administrative promotions, in terms of weeks instead of months (to avoid pay-period lags). Permits 3 administrative promotions above the maximum rate of the grade in certain cases of long and outstanding service. Permits appointments to be made at any rate of grade 11 or 12 if the Civil Service Commission gives prior approval. Provides flexibility with respect to establishing entrance rates in a temporary situation where, because of economic conditions, a sufficient number of qualified eligibles for positions of a given class cannot be secured in a given area or locality at the existing minimum rate for such class. Excludes all trades, crafts, and labor occupations from the Classification Act and provides for adjustment of their wages in a manner similar to private industry.

Title II provides new and higher rates of pay for certain major officials. Increases the salaries of department heads from $15,000 to $20,350, of Under Secretaries from $10,000 to $18,350, of Assistant Secretaries from $10,000 to $15,350, and of the Budget Director and the Comptroller General from $10,000 to $18,350; provides for a $16,850 deputy in the Budget Bureau and GAO, and fixes the salaries of various officials (including Civil Service Commissioners, the Librarian of Congress, and the Public Printer) at $16,850. Fixes a range of pay at $15,350, $16,850, and $18,350 for the heads of component parts of the Executive Office of the President (other than the Budget Bureau) and White House assistants.

Title III establishes a minimum annual pay of $2,350 for each full-time employee 18 years old or over. Raises the ceiling (in the Pay Act of 1945) from $10,000 to $11,500. Provides for pay increases, for employees under the Classification Act, of from $490 to $550 in addition to the rates mentioned above.

17. MEAT INSPECTION. Passed as reported S. 2256, to provide for meat inspection at Federal expense (p. 4400). As passed the bill continues the provision for overtime costs to be paid by the packers, pursuant to the Act of 1919.

18. GOLDEN NEMATODE. Passed without amendment S. 2137, which authorizes USDA to carry out operations against the golden nematode, independently or in cooperation with the State and local agencies involved; and to compensate growers of potatoes and tomatoes in infested areas for losses resulting when they refrain from planting in order to combat the nematode (pp. 4400-1).

19. NATIONAL FORESTS. Passed without amendment S. 2240, to include certain lands within the Uinta and Wasatch National Forests, Utah (pp. 4393-4).

20. WHEAT CARRYOVER. Discussed and passed over S. 2158, to repeal the requirement in the Foreign Aid Act of 1947 and the Third Supplemental Appropriation Act, 1948, that there be a carry-over of 150,000,000 bushels of wheat on July 1, 1948 (pp. 4397-9). Sen. Wherry, Nebr., asked that the bill go over and stated that he was doing so in behalf of Sen. Ball, Minn. (pp. 4397, 4399). Sen. Young, N.Dak., urged that the bill be passed and inserted correspondence between himself and the Secretary and a letter to Rep. Andresen, Minn., from the Russell-Miller Milling Co., urging repeal and including an analysis of the estimated use of wheat in 1949 (pp. 4397-9).

21. RECLAMATION. S. 499, to extend the reclamation laws to Arkansas, was made the unfinished business (p. 4416), and it was unanimously agreed that Sen. Fulbright, Ark., would be recognized today to speak on the bill (p. 4423).

22. FARM BANKRUPTCY. Passed as reported H.R. 4326, to extend until Mar. 1, 1949, the period within which petitions may be filed under Sec. 75 of the Bankruptcy Act (p. 4395).

23. SURPLUS LANDS. Passed as reported H.R. 3703, to authorize the transfer of certain surplus real property to the National Park Service (p. 4401).

24. PERSONNEL. Passed without amendment S. 2325, to enable certain former Government employees separated from the service subsequent to Jan. 23, 1942, to elect to forfeit their rights to civil service retirement annuities and obtain in lieu thereof return of their contributions with interest (p. 4391).

25. CREDIT UNION. Passed without amendment S. 2225, to transfer administration of the Federal Credit Union Act to the Federal Security Agency (p. 4390).

26. GRAZING LANDS. Passed without amendment S. 1874, authorizing the head of the department or agency using the public domain for national defense purposes to compensate holder of grazing permits and licenses for losses (p. 4393).

27. BILLS PASSED OVER. The following bills were among those passed over: S. 2376, to provide a revolving fund for the purchase of agricultural commodities to be processed in occupied areas and sold (p. 4399); and S. 580, to transfer from USDA to Interior certain O&C lands in Ore. (p. 4400).

28. NOMINATION. Confirmed the nomination of Thomas B. McCabe to be a member of the Board of Governors of the Federal Reserve System (pp. 4423-5, 4426).

29. FOREIGN AID. Sen. Thomas, Utah, inserted and discussed a London Daily Express editorial criticizing certain aspects of the ERP (pp. 4404-5).

30. HOUSING. Sen. Flanders, Vt., explained the various aspects of the housing bill, S. 866, and the amendments reported by the Banking and Currency Committee (pp. 4405-6).

BILLS INTRODUCED

31. CCC CHARTER. H.R. H.R. 6214, by Rep. Wolcott, Mich., to provide a Federal charter for the Commodity Credit Corporation. To Banking and Currency Committee. (p. 4471.)

32. FARM LABOR. H.J.Res. 372, by Rep. Bender, Ohio, making an appropriation to assist in providing a supply and distribution of farm labor for the calendar years 1948 and 1949. To Appropriations Committee. (p. 4471.)

	Bushels
Estimated export	300,000,000
Total use	1,001,000,000
Probable carry-over	469,000,000

Your pessimistic estimate of only 900,000,000 bushels would still leave us 169,000,000 bushels carry-over at the end of the next crop year. With the increased crop prospects in Europe, there is no assurance that we can give Europe enough wheat to enable us to export 300,000,000 bushels next year. If we had a calamity such as you fear, we would not have to export 300,000,000 bushels even if there is a demand for that much wheat next year. There is no gamble with a shortage but the gamble with a burdensome carry-over is too serious for us to take. Even the most selfish Congressman from the East would not want to go back to the conditions that prevailed when the buying power of the farmer was so low that there was no market for the manufactured goods from the East.

Flour or wheat not consumed this month or this year cannot be added to the requirements of next month or next year. That is why it is so important not to curtail consumption now when we have adequate supplies. With no restrictions the Department of Agriculture could not export enough flour and wheat the balance of this crop year to reduce our carry-over to a dangerous basis. It is distinctly to the interest of the whole Northwest to remove this unnecessary limitation on the carry-over of wheat.

Yours very truly,

———,
Executive Vice President.

Analysis of estimated use next year

Domestic use:	Bushels
First 6 months this year	262,000,000
Historical record indicates 54 percent use in first half of year, which would indicate use in second half of year	223,000,000
Total for year	485,000,000

Present use will have to increase or we will not use 485,000,000 bushels this year.

Wheat used for seed:	
Seed used last year	87,487,000
Estimate for next year	88,000,000
Wheat used for feed:	
Average yearly use 1931 to 1941	128,000,000
Estimate for next year	128,000,000
Wheat exports: Estimate of Department of Agriculture for next year	300,000,000

CARRY-OVER ANALYSIS

Assistant Secretary of Agriculture Brannon's statement of carry-over	158,000,000
Domestic use shown in Mr. Brannon's statement	510,000,000
Actual use first 6 months	262,000,000
Statistics show 54 percent of yearly use occurs in first 6 months. Projecting first 6 months' use on that basis indicates yearly use of	[1] 485,000,000
Overstatement of domestic use	25,000,000
Feed requirements shown in Mr. Brannon's statement	250,000,000
Actual use for feed for first 6 months	69,000,000

[1] If domestic use continues at present level, we will not use 485,000,000 bushels this year.

5 years' use of wheat for feed indicates 52.3 percent used in first 6 months. Projecting first 6 months' use on that basis indicates yearly use of	Bushels 132,000,000
Safety factor	28,000,000
Probable use of wheat for feed	160,000,000
Overstatement of wheat feeding	90,000,000
Actual potential carry-over	273,000,000

The PRESIDENT pro tempore. Without objection, the bill will go to the foot of the calendar, to be recalled.

The PRESIDENT pro tempore subsequently said: The consideration of the calendar having been concluded, the clerk will state by title Senate bill 2158, Calendar No. 1137, which went to the end of the calendar.

The CHIEF CLERK. A bill (S. 2158) to amend the Foreign Aid Act of 1947 and the Third Supplemental Appropriation Act of 1948, so as to eliminate certain provisions of such acts requiring the retention of a specified carry-over of wheat in the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KNOWLAND. Mr. President, was the objection heretofore raised satisfied? I understood the Senator from Minnesota [Mr. BALL] had asked that the bill go over.

Mr. YOUNG. The Senator from Minnesota has not withdrawn his objection.

Mr. KNOWLAND. Then I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (S. 2376) to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold was announced as next in order.

Mr. WHERRY. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

HEMPSTEAD WAREHOUSE CORP.

The bill (H. R. 1498) for the relief of Hempstead Warehouse Corp., was announced as next in order.

Mr. WHERRY. Mr. President, reserving the right to object, I think that bill calls for an explanation. Is there a member of the Committee on the Judiciary present who can give us an explanation? If not, I suggest that it go over temporarily.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WHERRY subsequently said: Mr. President, I ask unanimous consent to return to Calendar 1139, House bill 1498, for the relief of Hempstead Warehouse Corp. I now understand that the substitute bill provides relief whereby the applicant may be sued in the Court of Claims, and that the original amount of the appropriation has been denied. So I have no objection to the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1498) for the relief of Hempstead Warehouse Corp., which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Hempstead Warehouse Corp., a New York corporation, against the United States for loss or damage sustained by it as owner of land adjacent to Mitchel Field, in Nassau County, N. Y., growing out of the extension and enlargement of Mitchel Field and any plans preparatory thereto and any use of said land in connection with the construction, use, and operation of said airfield as extended and enlarged, including but not limited to the temporary possession and use of the land by the United States under an order for immediate possession made by the United States District Court for the Eastern District of New York, on the 30th day of June 1942. Suit upon such claim may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which the Court of Claims has jurisdiction under section 145 of the Judicial Code, as amended.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE TREASURY DEPARTMENT

The bill (S. 2131) for the relief of certain officers and employees of the Department of the Treasury was announced as next in order.

The PRESIDENT pro tempore. Senate bill 2131 is the same as Calendar No. 1148, House bill 5387. Is there objection to the substitution of the House bill for the Senate bill and the present consideration of the House bill?

There being no objection, the bill (H. R. 5387) for the relief of certain officers and employees of the Department of the Treasury, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2131 is indefinitely postponed.

BERT HARRINGTON, JR.

The bill (H. R. 388) for the relief of Bert Harrington, Jr., was considered, ordered to a third reading, read the third time, and passed.

ERN WRIGHT

The Senate proceeded to consider the bill (S. 825) for the relief of Ern Wright, which had been reported from the Committee on the Judiciary, with an amend-

ment, to strike out all after the enacting clause and insert:

That, nothwithstanding the provisions of section 420 of the Federal Tort Claims Act, and subject to the provisions of section 422 of such act and the applicable provisions of part 3 of such act, the United States District Court for the District of Utah shall have the same jurisdiction, with respect to the claim of Ernest (Ern) Wright, of Salt Lake City, Utah, resulting from a collision between an automobile driven by Mr. Wright with another automobile driven by one Glen R. Woodward, in Salt Lake City, Utah, on November 10, 1943, that such court would have under the provisions of the Federal Tort Claims Act if such collision had occurred subsequent to January 1, 1945, and action on such claim had been timely brought: *Provided*, That such claim shall be forever barred unless action shall be brought thereon within 6 months after the date of approval of this act: *Provided further*, That no private bill or resolution, and no amendment to any bill or resolution, authorizing or directing the payment of money in settlement of, or otherwise recognizing, such claim except in accordance with a valid judgment rendered by such court, shall hereafter be received or considered in either the Senate or the House of Representatives.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM B. MOORE

The bill (H. R. 990) for the relief of William B. Moore was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 580) relating to the administrative jurisdiction of certain public lands in the State of Oregon, was announced as next in order.

Mr. THOMAS of Utah. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ROBERT E. LAURITZEN

The Senate proceeded to consider the bill (S. 314) for the relief of Robert E. Lauritzen, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized and directed to pay to Robert E. Lauritzen, of Pacific Grove, Calif., out of any funds available for the pay of the Army, the sum of $1,017.60, in full satisfaction of his claim against the United States for reimbursement of amounts paid as fines, and for losses of Army pay resulting from his reduction to the grade of private, pursuant to the sentence of court martial, such sentence having been set aside pursuant to the order of the Secretary of the Army dated November 21, 1947, as follows:

1. Having received and approved the recommendations of the Army Board on Correction of Military Records in the case of Robert E. Lauritzen, Army serial No. 39130813, dated November 17, 1947, and under the authority vested in me by section 207 of the Legislative Reorganization Act of 1946 (Public Law 601, 79th Cong.), the Adjutant General is directed to correct the military records of Robert E. Lauritzen, Army serial No. 39130813, to show—

a. that his conviction by special court martial on November 17, 1944, was in error and based on testimony subsequently discovered to be false;

b. that the applicant was a master sergeant from June 15, 1944, until October 20, 1945;

c. that the applicant lost no time under Article of War 107.

2. The Adjutant General is further directed to issue the applicant an honorable discharge in accordance with the record as corrected.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEAT INSPECTION SERVICE

The Senate proceeded to consider the bill (S. 2256) relating to the meat-inspection service of the Department of Agriculture, which had been reported from the Committee on Agriculture and Forestry, with an amendment.

Mr. KEM. Mr. President, last year in the appropriation bill the expense of meat inspection which had been paid by the Government, was placed upon the processors of the meat to be inspected. The theory of the bill is that it is an unsound arrangement, and that it is not proper for the processor to pay the expense of the inspection. The bill provides that the expense shall hereafter be borne by the United States. The testimony before the committee was to the effect that under the arrangement whereby the processors bear the cost, already a number of processors have become operators in intrastate commerce and have in that way removed themselves from the burden of bearing the cost of inspection. If the present arrangement is continued that procedure will continue, so that there will be a large amount of meat consumed by the American public which is not subject to health inspection.

The PRESIDENT pro tempore. The committee amendment will be stated.

The CHIEF CLERK. On page 1, line 6, after the words "United States" it is proposed to insert "except the cost of overtime pursuant to the act of July 24, 1919 (7 U. S. C. 394)."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the cost of inspection rendered on and after July 1, 1948, under the requirements of laws relating to Federal inspection of meat and meat food products shall be borne by the United States except the cost of overtime pursuant to the act of July 24, 1919 (7 U. S. C. 394).

PROTECTION OF POTATO AND TOMATO PRODUCTION FROM GOLDEN NEMATODE

The bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, was announced as next in order.

Mr. SALTONSTALL. Mr. President, I should like to ask why the Department of Agriculture cannot provide for the protection of potato and tomato production without a special bill for the purpose?

Mr. IVES. Mr. President, perhaps it would be advisable for me to give a very brief description of what the bill does and what its purpose is.

The golden nematode is an insect pest which attacks only two cultivated crops: potatoes and tomatoes. Once this organism infects a crop, its growth persists in the soil for at least 8 years, whether or not the host plant is present. The only effective method that is known at this time for suppressing its infestations and for deterring its spread is to refrain from growing potatoes or tomatoes on infested lands.

The golden-nematode disease has seriously affected the crops in several European countries, and in 1941 it was discovered that it had spread to this country. The dangerous nematode was identified on a farm near Hicksville, Long Island, and is now known to infest some 6,000 acres of farm land on Long Island, where, for the most part, it is confined to Nassau County. Examinations of other potato-raising sections of the United States have, thus far, not revealed infestation.

The golden nematode, when permitted to feed freely upon the potato and tomato crops, causes the plants to become increasingly small in size, thereby reducing the quality and worth of the crop in every respect. Losses range from 50 percent of the yield to total loss. The presence of the pest unchecked constitutes a threat to the Nation's two and one-half million acres of potato land, which had a cash value in 1946 of $466,000,000.

A campaign to eradicate the golden nematode has been carried on jointly by the Bureau of Plant Industry of the State of New York and the Bureau of Entomology and Plant Quarantine of the Federal Department of Agriculture. For several years the New York Legislature has made substantial appropriations, and this year its appropriation for this purpose was $420,000.

The funds are utilized in two ways, as part of the control program. A substantial part of the appropriations is used to recompense farmers for the loss they sustain in keeping their land completely out of potatoes for the protection of the entire industry. New York State allocates $94.75 per acre for each farmer cooperating in the drive to rid the soil of the nematode organism. At the same time soil treatment, costing about $60 per acre, and research are constantly being conducted to find a remedy for the disease.

Not growing potato or tomato crops on infested land is the essential part of the program to suppress the pest. The purpose of the bill is to authorize the Department of Agriculture to cooperate with the State of New York in compensating growers who sustain losses from the nongrowing of potatoes and tomatoes in carrying out the program of golden nematode control. The Department of Agriculture asserts that the legislation is sound in principle and that it would be in the interest of the Nation to strengthen and enlarge, in this way, the present program. No objection has been raised by the Bureau of the Budget.

Legislative precedents exist for this type of national program. The Department of Agriculture has authority to issue and enforce quarantines and to cooperate with State quarantine programs

to prevent and control plant pests and diseases. For instance, the Department is authorized to cooperate with States in compensating growers for losses that may be occasioned from the enforced nonplanting of cotton.

The total cost of this program of nonproduction of potatoes and tomatoes is to be borne jointly by the State, the Federal Government, and the grower himself.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the obsence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of the golden nematode.

SEC. 3. The activities contemplated by this act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This act may be cited as the "Golden Nematode Act."

TRANSFER OF SURPLUS REAL PROPERTY TO DEPARTMENT OF THE INTERIOR

The Senate proceeded to consider the bill (H. R. 3703) to authorize transfer of surplus real property to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, line 3, after the word "property", to insert "situated within the boundaries of a national park or national monument and."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONFIRMATION OF TITLE IN THOMAS LOFLIN

The bill (H. R. 4118) to confirm title in fee simple in Thomas Loflin to certain lands in Rankin County, Miss., was considered, ordered to a third reading, read the third time, and passed.

AWARDING OF STAR-ROUTE CONTRACTS

The Senate proceeded to consider the joint resolution (S. J. Res. 198) to authorize the Postmaster General to withhold the awarding of star-route contracts for a period of 60 days.

Mr. LUCAS. Mr. President, may we have an explanation of the joint resolution?

Mr. LANGER. Mr. President, some time ago the Senate passed Senate bill 263, which put all star-routes into the classified service. Contracts have been let in the following manner: The United States is divided into four districts. Every year contracts are let covering one-fourth of the United States. Senate bill 263, which was passed by the Senate, is pending in the House of Representatives, and we do not know whether the bill will be passed by the House or not. In any event, the Postmaster General advertised for bids for star routes last December. The contracts must be awarded each month if they are to be awarded, and at the request of the Postmaster General the Congress by the pending bill would give him power not to award contracts until it was ascertained what the House would do with the bill the Senate has passed.

Mr. LUCAS. Am I to understand the Postmaster General is in favor of the bill now pending?

Mr. LANGER. Yes; he wants the mandatory provision of the present law, which compels the Department to advertise for bids and to make the award to the lowest bidder, held up for 60 days. It is at the request of the Postmaster General that we are asked to pass the bill.

Mr. JOHNSTON of South Carolina. Mr. President, in further explanation of the bill, I may say that no delay will be occasioned if the contracts are not awarded until the 30th of June.

Mr. LUCAS. I have no objection.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 198) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Postmaster General is authorized and directed to withhold the awarding of star-route contracts for which bids have been received in the second contract section for a period of 60 days after March 30, 1948.

BILLS PASSED OVER

The bill (S. 1949) to provide additional compensation for postmasters and employees of the postal service, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1537) to increase the rate of compensation of heads and assistant heads of executive departments and of other officers, was announced as next in order.

Mr. WHERRY. Over. I may explain that I have been asked by other Senators to object to these two bills.

SALE OF CERTAIN PUBLIC HOUSING ADMINISTRATION PROJECT

The bill (S. 2288) to provide for the sale at cost of Public Housing Administration project No. W. Va.-46011 was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

Mr. FLANDERS. Mr. President, I am sorry the Senator from West Virginia [Mr. REVERCOMB] is not in the Chamber at the moment, but the bill is quite a simple one. There is a housing development in the vicinity of the city of Charleston, W. Va., a region in which housing is extremely short. Since the development was started quite early, the costs of construction were low compared with the costs of later developments.

The proposal in the bill merely is that the houses on this project be sold to the occupants, largely veterans, at cost, instead of at a considerably higher appraised value. The Government will lose nothing on the transaction, since the costs not only of the houses, but of the land and all the facilities and everything connected therewith, are taken care of by the sales price. There are only four of the housing projects to which

the bill would apply, and the one in West Virginia is the only one where there is any substantial difference between the cost price and the appraised price.

Mr. MORSE. Mr. President, I should like to ask the Senator from Vermont a question. Can the Senator give us assurance that these sales are to be made to those living in the houses, who, I understood him to say, are chiefly veterans. The houses are not to be given over, are they, to the possession of various real estate or promotion groups?

Mr. FLANDERS. The occupants, who are for the most part veterans, will have priority in the sale of the houses. There was testimony from the occupants of the houses to the effect that by sheer necessity they were going to be compelled to buy them.

Mr. MORSE. Mr. President, I shall not object, on the basis of the statement just made by the Senator from Vermont, that the properties are to go to the veterans living in the houses, but I am becoming somewhat weary of seeing the Federal Government turn over for 10 to 20 cents on the dollar property of the taxpayers of this country to various promoters, and then the property being sold at tremendous profit, as has been going on ever since the war. If this case is an exception to that practice, I shall not object, but I think we had better stop giving away the taxpayers' property to different promoters.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, to strike out all after the enacting clause and insert the following:

That section 4 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, is amended by inserting before the period at the end thereof a colon and the following: "*Provided further*, That whenever the Administrator disposes of any permanent house or structure containing not more than four family dwelling units under authority of this act by offering such house or structure for sale on an individual basis, he shall, when the purchaser is a veteran buying for his own occupancy, sell any such house or structure (1) at a purchase price not in excess of the apportioned cost of such house or structure and of the land and appurtenances allocated thereto, together with the apportioned share of the cost of all utilities and other facilities provided for and common to the project of which such house or structure is a part, or (2) at a purchase price not in excess of such considered full market value of such house or structure and the land, appurtenances, utilities and facilities allocated thereto, whichever purchase price is the less."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Lanham Act so as to permit the sale of certain permanent war housing thereunder to veterans at a purchase price not in excess of the cost of construction."

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE CREATION OF THE DEPARTMENT OF THE NAVY

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the Senate proceed to consider Senate Joint Resolution 207, which was unanimously reported favorably this morning by the Committee on Armed Services. I may State my purpose in making the request. This is a joint resolution to permit the Secretary of the Navy to issue an appropriate order to designate April 30, 1948, as a day to be observed by the Naval Establishment by appropriate ceremonies in commemoration of the one hundred and fiftieth anniversary of the creation of the Department of the Navy. I have conferred with the distinguished minority leader, the Senator from Kentucky [Mr. BARKLEY], about the matter, and he has no objection to the joint resolution being considered at this time, and I therefore ask unanimous consent that the Senate proceed to its consideration.

There being no objection, the joint resolution (S. J. Res. 207) to provide for the commemoration of the sesquicentennial anniversary of the establishment of the Department of the Navy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas the Department of the Navy was created by the act entitled "An act to establish an Executive Department, to be denominated the Department of the Navy," approved April 30, 1798 (1 Stat. 553); and

Whereas by such act the Secretary of the Navy was charged with the duty "to execute such orders as he shall receive from the President of the United States relative to the procurement of naval stores and materials and the construction, armament, equipment, and employment of vessels of war, as well as all other matters connected with the Naval Establishment of the United States": Therefore be it

Resolved, etc., That the Secretary of the Navy is hereby authorized and directed by appropriate order to designate April 30, 1948, as a day to be observed within the Naval Establishment by appropriate ceremonies in commemoration of the one hundred and fiftieth anniversary of the creation of the Department of the Navy and in honor of the gallant personnel who have rendered service in the Naval Establishment of the United States since the founding of such Department.

The preamble was agreed to.

PROPOSED AMENDMENTS TO UNITED NATIONS CHARTER

Mr. FERGUSON. Mr. President, 3 years after the war we find there is no peace. Several wars are raging; in Berlin there is little less than war. We also find, in those treaties which have been made to end World War II, that we have sown seeds for further conflict. We find the rights of the small nations overridden. It is apparent that at the present time there is developing in Europe, and spreading to other parts of the world, the force of two opposing powers. These two opposing power blocks are developing out of the anarchy which now exists and prevails in international relations.

We must admit that the United States' foreign policy is dangerously close to power politics. In the one agency was set up to avoid this—the United Nations—we find frustration because of the weaknesses in that organization. We only need to look around to find signs of an armament race. We hear it said that Russia has a greater air force than America today. There is threatened aggression and fear everywhere in the world.

As we look at the world today, the whole situation points to a grievous condition in the peace machinery of the world. World conditions also reflect the attitude of the nations concerned in peace. It is not because we do not have an elaborate paper structure—the United Nations. In fact this structure is at the point where it is asking for a contribution or loan of $65,000,000 from the United States to build its physical house in New York City. The nations are not making it effective in reality, however, but rather are placing emphasis as of old on the old game of self-interest and power politics. Great evidence of this can be seen in the amount of money which is being spent and the emphasis being placed upon means of force.

We are forgetting about the high principles which led to the formation of the United Nations. Then we were at war. We saw and realized what was going on. Today as we move from war, we find that we left behind us those principles—except in the halls of the United Nations where we have unending study and debate but no constructive action, especially where action is clearly needed through the United Nations. We debate such subjects as Palestine and others and then abandon them to the self-interests of ourselves, England, and Russia. Surely we should hold out to the fearful world that statesmen are thinking of peace and not of war. If we do this, we can accomplish something for the future of the world.

The history of the League of Nations should teach us that too much stress was placed upon war and not enough upon peace—that the self-interest of nations and power politics rose above the principle of keeping the peace. In the League the question of armament was debated for years. It debated the question of aggression for years, but it had no real life or vigor or strength really to fight to keep the peace. The League was incapable of correcting the injustices of the last war. We are now having a second chance. We may not have a third one.

The time is at hand for this Nation and the other nations which believe in peace to take as aggressive a stand for peace as they have done in the past in preparing for war. To that end, a group of Senators who have been thinking along these lines now sponsor a resolution aimed at strengthening the peace machinery and actually putting it to work.

I am confident that a program with these objectives will gain the support of the country at large. This is evident from the sponsorship of the resolution, which cuts across party lines and represents every geographical section. These are the 15 Senators with whom I am joined in presenting this resolution: The Senators from Vermont [Mr. AIKEN and

80TH CONGRESS
2D SESSION

S. 2137

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1948

Referred to the Committee on Agriculture

AN ACT

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and private

organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means,

and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of

compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

Passed the Senate April 12 (legislative day, March 29), 1948.

Attest: CARL A. LOEFFLER,

Secretary.

80TH CONGRESS
2D SESSION

S. 2137

AN ACT

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

APRIL 14, 1948
Referred to the Committee on Agriculture

80TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 2187

PROVIDING FOR THE PROTECTION OF POTATO AND TOMATO PRODUCTION FROM THE GOLDEN NEMATODE

JUNE 3, 1948.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOPE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany S. 2137]

The Committee on Agriculture, to whom was referred the bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The accompanying bill is designed to establish a program to eradicate, control, and prevent the spread of the golden nematode. The golden nematode is an eel worm about a quarter of an inch long of threadlike thickness which feeds on the roots of potatoes. It has been in existence for a long time in some of the potato-producing areas in England, Scotland, and Ireland. In these countries the pest is controlled by keeping the land out of potato production for periods of 4- to 7-year intervals.

The pest was first discovered in this country in 1941 in the vicinity of Hicksville, Long Island, N. Y. It is now in a limited area of about 6,500 acres where it was first found. Inspections to detect its presence have been made in potato-growing areas in other parts of New York, in Maine, and other States as far west as the Dakotas and Minnesota, but it has not been found.

The golden nematode attacks only two cultivated crops, potatoes and tomatoes. There is no effective method that is known at this time for immediate eradication of the pest. Once infestation becomes established the organism is known to persist in the soil for a period of 8 years without the presence of the host plants. The only effective method for suppressing infestation and reducing the hazard of spread of the organism through movement of soil and certain crops is to

refrain from growing potatoes or tomatoes on infested lands. Other crops can be grown in infested areas with safety; however, root crops such as carrots and turnips involving the movement of soil cannot safely be moved unless they are entirely free from the infested soil.

In 1941 when the pest was first discovered, the State of New York undertook various programs which would prevent the spread of infestation. An important feature of the program has been to discourage growers from growing potatoes and tomatoes on infested lands. These programs at present include the making of payments to recompense the growers, in part, for taking the land out of potato production. Potatoes that are grown on infested lands or adjacent to infected lands are marketed only in New York City.

This bill provides in general authority for the Department of Agriculture, independently, or in cooperation with the State of New York and other States, local governmental agencies, public and private organizations, and individuals to carry out a program of golden nematode control. The program for the control of the pest contemplated by the bill includes among other things, the enforcement of quarantines, restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes, and compensating growers from losses sustained. The Secretary of Agriculture, however, may not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall enact legislation authorizing such restrictions or destruction. The bill also provides that no payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture whose determination as to the amount of compensation to be provided by the Federal Government for any grower shall be final.

A letter from Hon. Clinton P. Anderson, Secretary of Agriculture, addressed to Hon. Arthur Capper, chairman, Committee on Agriculture and Forestry, United States Senate, concerning this legislation, is set forth below:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., March 23, 1948.

Hon. ARTHUR CAPPER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR CAPPER: Further reference is made to your letter of February 10, requesting a report on Senate bill 2137, to provide for the protection of potato and tomato production from the golden nematode and for other purposes.

The proposed legislation would establish the policy that the Government carry out operations to eradicate, suppress, control, and prevent the spread of the golden nematode and would authorize the Secretary of Agriculture to initiate such measures as may be necessary to accomplish this purpose, independently or in cooperation with the State and local agencies involved. It would authorize the Government to cooperate with State or other agencies in compensating growers in areas infested or exposed to infestation for losses resulting when they refrain from planting potatoes or tomatoes or when they destroy potatoes or tomatoes for the purpose of combating the golden nematode. It would also authorize expenses needed to carry out these objectives.

Existing legislation provides authority to the Department of Agriculture to issue and enforce quarantines and to cooperate with States in enforcing State quarantines to prevent artificial spread of pests. Legislative authority is also available under which the Department may cooperate with State agencies and others in combating incipient or emergency outbreaks of insect pests and plant diseases. Legislation has authorized the Department to carry out control

programs against specific pests. To combat an insect pest which is of major importance to cotton and which occurs only in limited sections of our country the Department is authorized to cooperate with States in compensating growers for losses that may be occasioned from the enforced nonplanting of cotton. No legislative authority refers directly to the golden nematode and no law authorizes a cooperative program providing compensation to growers for losses that may occur through not planting or destroying potatoes and tomatoes.

The golden nematode is not native to the United States. Since 1941 it has been known to occur in a limited area in Nassau County, Long Island, N. Y. Inspections to detect its presence have been made in important potato-growing areas in other parts of New York and in other States as far west as Minnesota and North Dakota, but it has not been found to occur elsewhere in the United States.

The golden nematode attacks only two cultivated crops—potatoes and tomatoes. Once infestation becomes established, the organism persists in the soil for at least 8 years without the presence of host plants. The only effective method that is known at this time for suppressing infestations and reducing the hazard of spread of the organism through movement of soil and certain crops is to refrain from growing potatoes or tomatoes on infested lands. In England and at certain points on the European Continent where the pest has been established for an extended period, it has become impossible for farmers to produce a profitable crop of potatoes or tomatoes more often than 1 year in 5. In some areas it has become necessary to extend to 7 or 8 years the rest period between crops. The information now available strongly suggests that the pest will be equally destructive in most, if not all, of the important potato-growing areas of the United States if it is permitted to become generally distributed. It is important, therefore, that all practical measures be taken to suppress it and prevent its further spread.

In 1942 the Department began cooperating with the State of New York in a program which would hold infestation in check. An important feature of this program has been to encourage growers to refrain from growing potatoes and tomatoes on infested lands. Growers who have agreed to withhold infested land from potato and tomato production during the past 2 years have been compensated for a part of their losses by the State of New York. The area known to be infested has increased in size and now involves about 6,000 acres. Intensive inspections will, it is believed, increase this acreage to some extent. It is expected that inspections conducted during the current year will reveal new infested fields.

The most significant feature of the proposed legislation is that it would provide authority under which the Department could cooperate with the State of New York, in compensating growers who sustain losses from the nongrowing or destruction of potatoes and tomatoes in carrying out the program of golden nematode control. Not growing these two crops in infested soil is an essential part of any program to suppress the pest and will contribute greatly to preventing its spread. The potential importance of this pest to potato production in the United States is of such magnitude that it is believed appropriate and desirable for the Government to cooperate in all phases of the program to combat it and to the extent and in the ways that would be authorized by the proposed legislation. Considering the significance of the program in relation to the future of potato production in this country, it is believed the legislation is sound in principle, to the best interests of the country, and the Department favors its enactment.

In cooperating with the State of New York under existing authority, Federal expenditures for this work have averaged approximately $150,000 annually. If the Federal Government shares the cost of compensating growers for losses occasioned by not planting potatoes and tomatoes on known infested land, it is estimated that expenditures somewhat more than double this amount will be needed. These estimates are predicated upon the basis of present information as to the status and occurrence of the pest and on the assumption that the losses resulting from the destruction and nonproduction of potatoes and tomatoes on land that is known or found to be infested before harvest would be borne jointly by the State, the Federal Government, and the grower.

In compliance with Budget Circular A–19 this communication has been referred to the Bureau of the Budget, and we have been advised that they have no objection to this favorable report on the proposed legislation.

Sincerely yours,

CLINTON P. ANDERSON, *Secretary.*

○

Union Calendar No. 1084

80TH CONGRESS
2D SESSION

S. 2137

[Report No. 2187]

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1948
Referred to the Committee on Agriculture

JUNE 3, 1948
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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AN ACT

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and private

organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

SEC. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of

Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary

of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

Passed the Senate April 12 (legislative day, March 29), 1948.

Attest: CARL A. LOEFFLER,

Secretary.

Union Calendar No. 1084

80TH CONGRESS
2D SESSION

S. 2137

[Report No. 2187]

AN ACT

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

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7. SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL, 1949. The Appropriations Committee reported this bill, H. R. 6829 (H. Rept.2245)(p. 7660).

Regarding the War Assets Administration, the committee report states: "The Surplus Property Act of 1944 and its various amendments established a system of intricate priorities which admittedly were difficult of administration and rendered the movement of property from the hands of the Government to anxiously waiting purchasers a cumbersome process. But, on the other hand, the administration of these priorities was so inept and inefficient as to bring about results which can be characterized only as ludicrous. One of the primary purposes of the act was to insure that veterans should be accorded priority to purchase various types of equipment, etc., to assist them in reestablishing themselves in business and on the farm upon their discharge from the service. The regulations that were issued to carry out the act seemed adequate enough on paper. But in actual operation the administrative officials failed literally to carry out their own regulations to such an extent that the mail of Congress has carried a running fire of protest from every section of the country...

"The Committee on Appropriations has kept in constant contact with this program... If this property is to be placed in the hands of those who can derive some benefit from it, immediate action must be taken as the obsolescence and deterioration factors rapidly are making it worthless...

"After considering all these factors, and consultation with members of the Committees on Expenditure in the Executive Departments, the committee has concluded that, in order to protect the interest of the Government in securing a maximum return for this property as well as insure the early utilization of these surpluses by those who desire them, it is necessary to make immediate and rather far-reaching changes in the system. To accomplish this purpose legislation has been included in the accompanying bill, the salient features of which are:

"1. The War Assets Administration is abolished, effective August 31,1948, and its functions transferred as follows: (a) Real property to Reconstruction Finance Corporation. (b) Aircraft and parts to the Department of the Air Force. (c) Other personal property to the Bureau of Federal Supply. (d) Liquidation of the affairs of the War Assets Administration to the Treasury Department.

"2. The Surplus Property Act of 1944 continues in effect until December 31, 1949, when, in any event, it will expire by operation of law except that the priorities and preferences authorized by the act shall not continue beyond August 31, 1948. These priority and preference provisions, regardless of their original purpose, have been so administered as to have been of dubious value, and the point has now been reached where they constitute a practical blockade against the movement of property.

"3. Any property which has not been declared surplus to the War Assets Administration on the date of enactment of the accompanying bill will be disposed of in accordance with permanent law without reference to the Surplus Property Act of 1944.

"4. The heads of the agencies to which property is transferred will have authority to dispose of personal property, if in the interest of the Government to do so, by abandonment, destruction, or donation to public bodies.

"5. Any personal property may be transferred without charge to other agencies of the Government if by such transfer such property may be put to public use.

"6. Each of the agencies to which functions are transferred will be required to report to the Committees on Appropriations of the House and Senate at the end of each month on progress made. The Committee on Appropriations of the House will expect to analyze these reports currently and to secure in connection with the budgets for such agencies for the fiscal year 1950 a full statement of work remaining and their recommendations as to disposal of any items for which

there is determined to be no market and of which such agency finds itself unable to make appropriate disposition otherwise.

"7. The War Assets Administration budget for 1949 was $106,912,000. To carry out the purposes as set forth in the bill, the committee recommends an appropriation of $50,000,000 to be allocated by the Director of the Budget, who will also act as referee in the distribution of records, administrative property, etc., among the transferee agencies."

Sec. 104 of H. R. 6829 amends Sec. 207 of the Independent Offices Appropriation Act, 1949, which provided for a 25% salary differential for persons employed abroad. The following changes are provided in the amendment: (1) The salary differential is limited to persons whose basisc commensation is fixed by statute; (2) the salary differential is based on living costs substantially higher than in the District of Columbia, or conditions of environment which warrant the differential as a recuritment incentive; (3) eliminates any possible requirement that native employees receive pay equal to that paid for similar services in the States; (4) prohibits payment of a salary differential to any person entitled to receive a cost-of-living allowance; (5) eliminates reference to the salary limitation provided by the classification Act of 1923, as amended; (6) provides that this section shall be effective 60 days after enactment or as specified in regulations issued by the President, whichever date is earlier; and (7) continues present regulations until the effective date of this section.

18. SOCIAL SECURITY; FARM LABOR. As reported, H.R. 6777, to extend social security coverages (see Digest 99), contains an amendment to the Federal Insurance Contributions Act which would extend social security coverage to employment off the farm in drying, packing, packaging, and similar processing and handling operations of fruits and vegetables preparatory to marketing such produce, by excepting from the provisions of the Act, as "agricultural labor," only those services in the case of fruits and vegetables, as well as other agricultural and horticultural commodities, as are performed "as an incident to ordinary farming operations." The bill would also extend social security benefits to employees of agricultural or horticultural organizations exempt from income tax under certain provisions of the Internal Revenue Code, and amend the Farm Credi Act of 1933 and the Federal Farm Loan Act so as to extend social security benefits to employees of the production credit associations and the national farm loan associations.

19. SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT. Passed as reported H.R. 5154, to continue Federal administration of ACP (p. 7596).

20. NATIONAL FORESTS. Passed with amendment S. 1090, to remove the limitation governing exchanges of certain land in the Superior National Forest, Minn., to safeguard and consolidate areas of exceptional public interest (pp. 7600-1).

21. GOLDEN NEMATODE. Passed without amendment S. 2137, to provide for the protection of potato and tomato production from the golden nematode (p. 7601). This bill will now be sent to the President.

22. FOREIGN TRADE. Passed without amendment H.R. 5608, to amend the Tariff Act so as to increase the import duty on linen fire hose (p. 7603).

23. PUBLIC LANDS. Concurred in Senate amendment to H.R. 3628, to revise the method of issuing patents for public lands (p. 7603). This bill will now be sent to the President.

24. D.C.APPROPRIATION BILL, 1949. Reps. Horan, Stefan, Church, Stockman, Andrews o:

until the close of the first full fiscal year after approval of this act.

SEC. 6. That there are hereby authorized to be appropriated annually such sums as are necessary to carry out the provisions of this act: *Provided, however,* That the total appropriations under the authority of this act shall not exceed $500,000 for the purchase and condemnation of land.

With the following committee amendments:

Page 2, line 3, strike out the word "of" and insert in lieu thereof the word "or."

Page 8, line 1, strike out all of section 5 and insert in lieu thereof a new section 5 as follows:

"SEC. 5. That the Secretary of the Treasury, upon the certification of the Secretary of Agriculture, shall pay to the State of Minnesota, at the close of each fiscal year, from any national-forest receipts not otherwise appropriated, a sum of money equivalent to three-quarters of 1 percent of the fair appraised value of such national-forest lands as may be situated within the area described in section 2 of this act at the end of each fiscal year; and the payments made hereunder shall be distributed to each of the three aforesaid counties in conformity with the fair appraised value of such national-forest lands in each county: *Provided,* That the fair appraised value of the lands shall be determined by the Secretary of Agriculture at 10-year intervals and his determination shall be conclusive and final: *Provided further,* That the first payment to the State of Minnesota under the provisions of this section shall not be due until the close of the first full fiscal year after approval of this act: *And provided further,* That the provisions of the act of May 23, 1908 (35 Stat. 260), and of section 13 of the act of March 1, 1911, as amended (36 Stat. 961; 38 Stat. 441), shall not be applicable to the national-forest lands to which this section applies."

The committee amendments were agreed to.

Mr. GOFF. Mr. Speaker, I offer an amendment

The Clerk read as follows:

Amendment offered by Mr. GOFF: Page 2, line 16, after the word "acts" insert "except as provided hereinafter."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF POTATO AND TOMATO PRODUCTION FROM THE GOLDEN NEMATODE

The Clerk called the bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

There being no objection, the Clerk read thte bill, as follows:

Be it enacted, etc., That to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of patatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with the State and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

SEC. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

SEC. 3. The activities contemplated by this act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this act of potatoes or tomatoes.

SEC. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means, and State and local authority necessary for the coperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

SEC. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This act may be cited as the "Golden Nematode Act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CLAIMS OF MILITARY PERSONNEL, ETC.

The Clerk called the bill (H. R. 6794) to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, and I shall not object, this is a very worthy piece of legislation. It is designed to take care of many veterans of World War II, especially prisoners of war, who returned to their homes and neglected to file certain claims because they did not know it was necessary to file a claim for the value of personal effects lost in the military service. I also wish to take this opportunity to commend the House Committee on the Judiciary, and especially the gentleman from Pennsylvania [Mr. WALTER], for initiating this legislation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War, and such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim against the United States, including claims not heretofore satisfied arising on or after December 7, 1939, of military personnel and civilian employees of the War Department or of the Army, when such claim is substantiated, and the property determined to be reasonable, useful, necessary, or proper under the attendant circumstances, in such manner as the Secretary of War may by regulation prescribe, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, or to replace such personal property in kind: *Provided,* That the damage to or loss, destruction, capture, or abandonment of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government. No claim shall be settled under this act unless presented in writing within 1 year after the accident or incident out of which such claim arises shall have occurred: *Provided further,* That if such accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 5 years after peace is established. Any such settlement made by the Secretary of War, or his designee, under the authority of this act and such regulations as he may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this act are hereby authorized. Appropriations available to the War Department for the settlement of claims under the provisions of the act of March 3, 1885 (23 Stat. 350), as amended, shall be available for the settlement of claims under the provisions of this act.

SEC. 3. Sections 3483–3488 of the Revised Statutes (31 U. S. C. 209–214), and the act of March 3, 1885 (23 Stat. 350), as amended by the act of July 9, 1918 (40 Stat. 880), and by the act of March 4, 1921 (41 Stat. 1436; 31 U. S. C. 218–222), and by section 6 of the act of July 3, 1943 (57 Stat. 374; 31 U. S. C. 222a, 222b), are hereby repealed.

SEC. 4. That portion of section 1 of the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b),

reading as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for damage to or loss or destruction of property of military personnel or civilian employees of the War Department or of the Army, or for personal injury or death of such persons, if such damage, loss, destruction, injury, or death occurs incident to their service." is hereby amended, effective as of the date of approval of said act, to read as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for personal injury or death of military personnel or civilian employees of the War Department or of the Army if such injury or death occurs incident to their service."

SEC. 5. This act may be cited as the "Military Personnel Claims Act of 1948."

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 2, line 14, after the word "within" strike out "1 year" and insert "5 years."

Mr. WALTER. Mr. Speaker, this is merely a conforming amendment because in the statutes there were two limitations within which the claim had to be filed. The committee overlooked one and this merely makes it perfectly plain that it is the intention of the Congress to give to the men the right to file their claims within 5 years from the enactment of this act.

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the Consent Calendar.

RECLASSIFYING THE SALARIES OF POSTMASTERS, OFFICERS, AND EMPLOYEES OF THE POSTAL SERVICE

Mr. KEAN. Mr. Speaker, I ask unanimous consent to return for the immediate consideration to Calendar No. 703, the bill (H. R. 4786) to amend the act entitled "An act to reclassify the salaries of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1861, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That subsection (1) of section 14 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended, is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 1 year's satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position which employed and shall, at the beginning of the quarter following the completion of 12 months' satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position: *Provided*, That no temporary employee shall be paid at a rate higher than that provided herein for the highest automatic grade of the position in which he is employed: *Provided further*, That when a temporary employee is appointed to a regular position in the custodial service, the employee shall be assigned to a salary grade corresponding to his salary as a temporary employee at the time of such appointment. Any fractional part of a year's temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position."

SEC. 2. Any period of continuous satisfactory service as a temporary employee in the custodial service performed by any such temporary employee prior to the effective date of this act shall be creditable for a promotion to the rates of pay of grade 2 of the position in which such temporary employee is employed.

SEC. 3. This act shall become effective at the beginning of the quarter following the date of enactment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 4786, was laid on the table.

NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to return for the immediate consideration to Calendar No. 709, the bill (H. R. 6507) to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, a samended, to authorize renewal of level premium term insurance for a second 5-year period, and for other purposes.

The SPEAKER. The Chair would like to inquire of the gentlewoman whether she has cleared this with the objector?

Mrs. ROGERS of Massachusetts. I have cleared it with the gentleman who objected, and he has withdrawn his objection.

Mr. RICH. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. RICH. How many times has this extension been granted?

Mrs. ROGERS of Massachusetts. None for World War II veterans.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

"(f) Such insurance may be issued on the following plans: Five-year level premium term, ordinary life, 20-payment life, 30-payment life, 20-year endowment, endowment at age 60, and endowment at age 65. Level premium term insurance may be converted as of the date when any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance, except that conversion to an endowment plan may not be made while the insured is totally disabled. All level premium term policies, except as provided below, shall cease and terminate at the expiration of the term period: *Provided*, That at the expiration of the term period any national service life insurance policy which was issued on a 5-year level premium term plan before January 1, 1948, and which has not been exchanged or converted to a permanent plan of insurance, may be renewed as level premium term insurance for an additional period of 5 years at the premium rate for the then attained age without medical examination, provided, the required premiums are tendered prior to the expiration of the first term period: *Provided further*, That in any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance, if subject to renewal under this provision, shall be automatically renewed for an additional period of 5 years at the premium rate for the then attained age, unless the insured has elected insurance on some other available plan. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance from time to time by regulations promulgated by the Administrator."

Mr. McMAHON. Mr. Speaker, we have but a few legislative days remaining in this session of Congress, and we are faced with the problem here now as to whether or not we can extend the 5-year level premium term insurance under the National Life Insurance Act. Mr. Speaker, the most fundamental observation that can be made regarding this insurance of our former GI's is that at the peak period we had in this country 19,000,000 policys, and today we have less than 6,000,000.

I had hoped, Mr. Speaker, that I would not be alone in this fight to restore some of the 13,000,000 policies that we have lost because of the vacillation in administration and the forcing of these boys to abandon their life insurance because their budgets could not meet the threat of increased premiums in the years to come.

Think what a golden opportunity we have here in this country today here in this Congress to set in motion the machinery which would ultimately bring

[Public Law 645—80th Congress]

[Chapter 471—2d Session]

[S. 2137]

AN ACT

To provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with State and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

Sec. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

Sec. 3. The activities contemplated by this Act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this Act of potatoes or tomatoes.

Sec. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this Act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

Sec. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this Act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this Act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this Act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This Act may be cited as the "Golden Nematode Act".

Approved June 15, 1948.